

Exhibit 4

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:

Chapter 11

W.R. GRACE & CO., *et al.*,

Debtors

Case No. 01-113 (JKF)
(Jointly Administered)
Related Docket No. 11958

The deposition of DOMINIC GAZIANO, taken upon oral examination, pursuant to notice and pursuant to the Federal Rules of Civil Procedure, before Johnny J. Jackson, Registered Diplomat Reporter and Notary Public in and for the State of West Virginia, Wednesday, October 18, 2006, at the Offices of Ciccarello, Del Giudice & LaFon, 1219 Virginia Street, East, Charleston, West Virginia.

JOHNNY JACKSON & ASSOCIATES, INC.
606 Virginia Street, East
Charleston, WV 25301
(304) 346-8340

1 Medical Services?

2 A. It is all one.

3 Q. It is all one?

4 A. Yes, ma'am.

5 Q. So it doesn't get divided out?

6 A. No, ma'am.

7 Q. So when you were giving me income
8 information it was all together?

9 A. Yes, ma'am.

10 Q. When was the first time you recall having
11 been retained by a law firm for the purpose of
12 diagnosing asbestos-related disease for potential
13 litigation claimants?

14 A. Well, it was sort of a backdoor
15 situation. I was a physician, clinician for Local
16 80, which is the insulators in West Virginia and
17 eastern Ohio, local union, and I was asked sometime
18 in the mid seventies, maybe, if I would be their
19 physician and if I would evaluate them and follow
20 them for development of asbestos-related problems.

21 They were advised that Dr. Selikoff
22 originally was following them, and they needed, and
23 he was overextended and wanted someone else to help
24 in local unions. So I was involved there.

1 Then one day I was asked to testify
2 relating to these individuals as to what diseases
3 they might have. And that was the beginning.

4 Q. I think my question was a little bit more
5 specific. I think I asked when were you first
6 approached or retained by a law firm for the
7 purpose of diagnosing asbestos-related disease for
8 potential litigation claimants.

9 A. I'm not retained. Cases have been sent to
10 me, and my evaluation of these claims are not for
11 the law firm. But as it evolved they were involved
12 in asbestos litigation.

13 But I evaluate claims that are, or cases
14 that are sent to me by law firms. But I don't have
15 any formal relationship or formal contract or
16 formal agreement or formal anything with any of
17 these law firms over the years.

18 Q. I understand. I think my question was
19 directed a little bit more at the timing issue.

20 When was the first time a law firm
21 approached you and asked you to review x-rays or
22 make a causative diagnostic link for a potential
23 litigation?

24 A. I'm sorry. I think it was early eighties.

1 Q. Do you remember what the first law firm to
2 approach you to perform those sort of services was?

3 A. There were local law firms and the
4 national law firm.

5 Ness Motley was one of the first, and then
6 there were some local firms that were involved with
7 it.

8 Shinaberry, who has since retired,
9 Shinaberry firm, Shinaberry and Meade.

10 There is a Tweel in Huntington. I recall
11 he was involved to a great extent.

12 Then later on I think a couple of other
13 local law firms were involved early on, like
14 Stewart Calwell and James Humphreys, but that came
15 later.

16 Q. In the early eighties, as you said, the
17 early days, were law firms asking you to review
18 x-rays and perform B-reads, or was the work more in
19 the nature of providing diagnostic reports, or was
20 it both?

21 A. I think it was probably both, but that's a
22 long time ago. I can't remember.

23 Q. When was the first time you were
24 approached by a screening company of any kind for